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THE POLISH NATIONAL SCIENTIFIC CONFERENCE
“CONTEMPORARY ISSUES OF LEGAL ETHICS”
LUBLIN, APRIL 3, 2017

On April 3, 2017, a Polish national scientific conference entitled “Contemporary Issues of Legal Ethics” was held. The Conference was intended to inaugurate the 25th Lawyers Week. The Lawyers Week is a flagship event organised annually for the last 25 years at the John Paul II Catholic University of Lublin (KUL). It comprises conferences, training and discussion sessions devoted to the presence and role of law in our society. This year’s Lawyers Week was held on April 3–7, 2017. The opening conference of the 25th Lawyers Week was organised by the Section of Theory and Philosophy of Law, run by the KUL Students Research Club and existing as part of the Faculty of Law, Canon Law and Administration. The Conference was held in Room 302 of the Knowledge Transfer Centre, located in the newly opened university building at Aleje Raławickie 14, Lublin.

The Conference was officially opened by Piotr Majak, the President of the KUL Students Research Club. Among the guests was the Dean of the Faculty of Law, Canon Law and Administration, Dr Hab. Krzysztof Wiak, an associate professor of KUL.

The discussion panels were grouped in two sections. The first panel was moderated by Dr. Hab. Jadwiga Potrzeszcz, an assistant professor at the Department of Theory and Philosophy of Law and the research supervisor of the Section of Theory and Philosophy of Law. Having welcomed the guests, Professor Potrzeszcz had five speakers join the presidium table and delivered an introductory address entitled “Legal ethics as an integral element of professional legal culture.” The presidium consisted of scholars from various academic centres. Among them was also Rev. Dr Hab. Tomasz Barankiewicz, the head

of the Department of Philosophy of Law of KUL and a member of the Council of the Legal Ethics Institute in Warsaw. He delivered a paper entitled "Education in the area of ethics of legal professions." Next, Dr. Łukasz Pikuła took the floor, representing the Jan Kochanowski University in Kielce, to present a paper entitled "Ethics as the logic of legal thinking as illustrated by Marburger Schule." Dawid Kostecki (MA) used a multimedia presentation to report on "Currency of the ethical views of Marian Morawski SJ in the light of the evolutionary philosophy of law." Next, Piotr Krzyżanowski (MA), a legal trainee, presented a paper entitled "Legal professional privilege as a pillar of the Bar." The presentations were followed by discussion. Kamila Kwarciiana (MA) and Aleksandra Józwick asked questions concerning the paper by Piotr Krzyżanowski, who had illustrated his point using practical examples. As part of the audience, Bartłomiej Grzeluszka and Dr. Ł. Pikuła, questioned Professor Barankiewicz, an expert in legal ethics. Dr. Pikuła also asked questions concerning the papers by Mr. Krzyżanowski and Mr. Kostecki. During the discussion stage the last question by Mr. Krzyżanowski was addressed to Professor Potrzyszcz.

After the discussion was over, Prof. Potrzyszcz as the moderator had other speakers featured in the first panel join the table, namely Dr. Adam Kasprzyk, representing the School of Humanities and Natural Sciences in Sandomierz, Kamila Kwarciiana (MA), of KUL, and Tomasz Dąbek, a student of UMCS. Dr. Kasprzyk presented a report on "Ethics in law creation." The content of the report became the subject of a discussion initiated by a question asked by Prof. Barankiewicz. The next contribution, entitled "Ban on the use of advertising as the limit of possible promotion of advocates", was presented by Kamila Kwarciiana. The current relevance of the presentation attracted the attention of the other speakers and encouraged the attendees to engage in discussion after Panel 1 was over. The last but not least speaker of the panel was Tomasz Dąbek, who spoke about "The permissibility limit for a soldier's denial to perform an order."

Panel 2 was moderated by the coordinator of the Section of Theory and Philosophy of Law, Justyna Świerczek, a student of KUL. Panel 2 featured only student presentations, not only by law students but also medical students. The guests welcomed, the presidium table now hosted: Tomasz Zarębski, a KUL student, the President of the KUL Student Council, Kaja Trzeciak and Anna Peterko – students of Collegium Medicum of the Jagiellonian University in Kraków, and Julia Dąbek, a student of KUL. The opening report, entitled "The boundary between tax optimisation and tax fraud – on the ethics of the profession of tax counsel", was delivered by Tomasz Zarębski. The next presentation, entitled "Legal regulations and the significance of transplantology in modern-day medicine", was contributed by Kaja Trzeciak and Anna Peterko. The last contribution was presented by Julia Dąbek. Using a multimedia support, she reported on "Legal professional privilege. The scope and permissibility of having it revoked in the light of the current provisions of law." Subsequently, students of Wrocław Medical University joined the presidium table. Jakub Mercik and Michał Świst presented a report entitled "Legal, medical and ethical foundations of sterilisation." The presentation was supported with numerous examples of case law and medical practice. It contained many but largely unknown facts, so many questions were asked by the audience. Next,

the floor was taken by other students of Wrocław Medical University: Magdalena Pietraszko and Piotr Macek, who contributed a paper entitled “Does only a physician have a right to have a conscience? The judgement of the Constitutional Tribunal concerning the conscience clause contained in the act on the profession of doctor and dentist.” The topic provoked a lot of controversy among the attending medical students. Kaja Trzeciak asked the contributors many questions concerning the current legal state and the position of the Constitutional Tribunal concerning the patient’s consent to have medical assistance. The many questions were intended to stimulate discussion involving both the audience and the speakers.

The next contributors in this panel were the KUL legal students: Aleksandra Jóźwik, Konrad Węgliński, and Justyna Świerczek. Aleksandra Jóźwik presented a report entitled “The protection of the creditor’s interests and the debtor’s rights. The problem of law enforcement in the profession of a judicial officer.” Next, Konrad Węgliński contributed a report entitled “Ethical dimension of the responsibility of management board members in share capital companies vs. the principle *business judgement rule*.” It is worth noting that the subject of Konrad Węgliński’s paper was also addressed by this year’s Diamond Grant programme. Justyna Świerczek delivered a closing report entitled “The application of *iudex in habilis* and *iudex suspectus* vs. the ethical dimension of civil proceedings.”

Owing to the conference “Contemporary Issues of Legal Ethics”, organised by the Section of Theory and Philosophy of Law run by the KUL Students Research Club, six academic centres had an opportunity to meet, present their ethical concerns and take part in a discussion seeking possible solutions to the presented problems.

Translated by Tomasz Pałkowski



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